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18 May 1983

MEMORANDUM FOR:

Director, Intelligence Community Staff

VIA:

Chairman, CIPC

FROM:

Vice Chairman, CIPC

SUBJECT:

Leaks

1. Because of my long association at NSA with the general subject of "leaks", I asked Jim if I could accompany him to your staff meeting on Tuesday, P.M.

2. Having spend a fair amount of time worrying that problem, I thought I would also respond to your request for comments.

3. There are several different categories of leaks, each of which lends itself to a different sort of solution. The fact that many of those concerned with leaks often tend to treat them as being all generically alike tends to complicate the approach to a solution, making it very difficult to achieve any agreement on the part of the different involved elements of government - with the result that nothing ultimately of value gets done.

4. Some of the major and quite different categories of leaks are:

- The politically motivated leak of essentially unclassified but possibly embarrassing data (a planned Presidential action for example).

- The unauthorized (or sometimes authorized) purposeful leak of classified data for political ends (e.g., to promote or kill a weapons system proposal or an administrative policy initiative).

- The inadvertant leak of classified material by an individual who may not fully appreciate the sensitivity of the data and the potential damage to sources and methods that could result from disclosure

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9. In any event, I believe that beginning quickly with a hard-hitting education program - begun by the President and aimed at inadvertant leakers represents a low risk (in terms of public relations problems), relatively low cost, high pay-off initiative that could be begun and pursued quickly if the go-ahead were given. It could even be tailored to cover the retired intelligence officer population as well if that continues to be perceived as a real problem.

10. I have discussed elements of this proposal with an NSC staffer and believe that it is the kind of approach that would be appealing to Judge Clark and others in the White House.

Adm B.
 I think Gene's analysis is quite sound. I am especially taken by the idea of re-briefing retirees. Rather than an exit debrief, perhaps we ought to rethink the problem and periodically brief them & remind them of the need to protect classified information. Moreover, I think a distinction needs to be made between administrative and legal remedies. We are all falling into the trap of thinking leak → investigate → prosecute. Submit the DCI can fire someone on a much less well developed basis than what he would need to prosecute, and should announce himself willing to do so, even to the point of admitting that if he errs, he will reinstate. T.O. leaks must stop.

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